

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 24, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

LETICIA ANN MARTINEZ,

Defendant.

No. 2:21-CR-00044-TOR-2

ORDER GRANTING
DEFENDANT'S MOTION FOR
RELEASE TO ABHS FOR
INPATIENT TREATMENT

MOTION GRANTED
(ECF No. 119)

Before the Court is Defendant LETICIA ANN MARTINEZ's Motion for Release to ABHS Inpatient Treatment. **ECF No. 119**. Defendant recites in her motion that neither the United States, nor United States Probation oppose her motion.

Specifically, Defendant requests permission to be **released to the ABHS in-patient facility at Pioneer Human Services on November 30, 2021** to avail herself of substance abuse treatment.

The Court finding good cause, **IT IS ORDERED** Defendant's Motion, **ECF No. 119**, is **GRANTED**. Defendant shall be released to the Pioneer Human Services staff escort who will transport her to the ABHS in-patient facility at **1:00 p.m. on November 30, 2021**. **PROVIDED** that Defendant's treatment and release from custody is on the express condition that treatment not hinder or delay the adjudication of this case, and that Defendant appear in person when required regardless of treatment status, and maintain adequate contact with defense counsel.

1 Defense counsel shall notify the Court to schedule a status hearing when
2 Defendant is nearing completion of in-patient treatment (within one week of
3 completion) to allow the Court to assess Defendant's treatment progress. **Absent**
4 **further order of the Court, Defendant shall return to the custody of the U.S.**
5 **Marshal upon completion of treatment.**

6 While released from the U.S. Marshal's custody, Defendant shall be subject
7 to the following conditions:

8 **STANDARD CONDITIONS OF RELEASE**

9 (1) Defendant shall not commit any offense in violation of federal, state
10 or local law. Defendant shall advise the supervising Pretrial Services Officer and
11 defense counsel within one business day of any charge, arrest, or contact with law
12 enforcement. Defendant shall not work for the United States government or any
13 federal or state law enforcement agency, unless Defendant first notifies the
14 supervising Pretrial Services Officer in the captioned matter.

15 (2) Defendant shall immediately advise the court, defense counsel and the
16 U.S. Attorney in writing before any change in address and telephone number.

17 (3) Defendant shall appear at all proceedings as required and shall
18 surrender for service of any sentence imposed as directed.

19 (4) Defendant shall sign and complete A.O. Form 199C before being
20 released and shall reside at the address furnished.

21 (5) Defendant shall not possess a firearm, destructive device or other
22 dangerous weapon.

23 (6) Defendant shall report to the United States Probation Office before or
24 immediately after release and shall report as often as they direct, at such times and
25 in such manner as they direct.

26 (7) Defendant shall contact defense counsel at least once a week.

27 (8) Defendant is further advised, pursuant to 18 U.S.C. § 922(n), it is
28 unlawful for any person who is under indictment for a crime punishable by

1 imprisonment for a term exceeding one year, to possess, ship or transport in
2 interstate or foreign commerce any firearm or ammunition or receive any firearm
3 or ammunition which has been shipped or transported in interstate or foreign
4 commerce.

5 (9) Defendant shall refrain from the use or unlawful possession of a
6 narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless
7 prescribed by a licensed medical practitioner in conformance with Federal law.
8 Defendant may not use or possess marijuana, regardless of whether Defendant has
9 been authorized medical marijuana under state law.

10 (10) Defendant shall surrender any passport and Enhanced Driver's
11 License to Pretrial Services and shall not apply for replacements.

12 **ADDITIONAL SPECIAL CONDITIONS OF RELEASE**

13 (1) Defendant shall remain in the Eastern District of Washington while
14 the case is pending. By timely motion clearly stating whether opposing counsel
15 and Pretrial Services object to the request, Defendant may be permitted to travel
16 outside this geographical area.

17 (2) Defendant shall avoid all contact, direct or indirect, with any persons
18 who Defendant would reasonably know are or may become a victim or potential
19 witness in the subject investigation or prosecution.

20 (3) Defendant shall avoid all contact, direct or indirect, with any
21 codefendants and co-conspirators named or not, presently or in the future, whether
22 indicted or not, who Defendant would reasonably know are or may become a
23 victim or potential witness in the subject investigation or prosecution.

24 (25/29) **In-Patient Treatment:** Defendant shall immediately enter into and
25 successfully complete an inpatient treatment program at the ABHS in-patient
26 facility at Pioneer Human Services. Pretrial Services will monitor Defendant while
27 in treatment. Defendant shall comply with all directives of the U.S. Probation
28 Officer. Prior to commencing any evaluation or treatment program, Defendant

1 shall provide waivers of confidentiality permitting the United States Probation
2 Office and the treatment provider to exchange without qualification, in any form
3 and at any time, any and all information or records related to Defendant's
4 conditions of release and supervision, and evaluation, treatment and performance
5 in the program. It shall be the responsibility of defense counsel to provide such
6 waivers.

7 (26) Defendant shall abstain totally from the use of alcohol.

8 (27) Defendant shall submit to random urinalysis and/or breathalyzer
9 testing as directed by the United States Probation/Pretrial Services Office.
10 Defendant shall submit to any method of testing required by the Pretrial Service
11 Office for determining whether the Defendant is using a prohibited substance.
12 Such methods may be used with random frequency and can include urine testing,
13 the wearing of a sweat patch, a remote alcohol testing system, and/or any form of
14 prohibited substance screening or testing.

15 (28) Defendant shall refrain from obstructing or attempting to obstruct or
16 tamper, in any fashion, with the efficiency and accuracy of prohibited substance
17 testing.

18 (31) If Defendant terminates any treatment program before it is completed,
19 the treatment provider and Defendant shall immediately notify the U.S. Probation
20 Officer, and Defendant shall immediately return to the custody of the U.S.
21 Marshal.

22 (32) Following inpatient treatment, Defendant shall participate in the level
23 of outpatient treatment or aftercare program recommended by treatment providers.

24 **IT IS SO ORDERED.**

25 DATED November 24, 2021.



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A handwritten signature in blue ink, reading "James A. Goeke", is written over a horizontal line.

JAMES A. GOEKE
UNITED STATES MAGISTRATE JUDGE